

General Sam Bell Maxey of Texas is entitled to and is hereby tendered the thanks of the State for his military science, skill, and gallantry displayed in his attack upon the capture of the enemy's strong fortifications at Bridgeport and Battle Creek on the Tennessee River on the 27th of August, 1862, which was denominated by General Bragg as one of the most dashing and gallant achievements of the war." The amendment being withdrawn, Mr. Dickson moved to strike out "Legislature" and insert "people." Adopted. The bill was then passed to a 3rd reading. Rule suspended. Read 3rd time and passed.

On motion of Mr. Harcourt, the vote adopting the report of the Judiciary Committee recommending that a bill to amend the Penal Code do not pass was reconsidered the Bill taken up. Read 2nd time. Mr. Guinn moved to strike out amendments to Article 156.

Mr. Hartley by leave, Chairman of Committee on State Affairs, reported a Joint Resolution to restrain the illegal exercise of military authority in the state of Texas and asked to be discharged from its further consideration.

On motion, the Senate adjourned until 9 o'clock A. M. tomorrow.

Thursday, March 5, 1863

9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Ford introduced a bill to incorporate the Caldwell County Mutual Aid Society. Read 1st time. Rule suspended. Read 2nd time and ordered to be engrossed. Rule suspended. Read 3rd time and passed on call of the Yeas and Nays unanimously.

Mr. Dickson offered the following resolution: "**Resolved**, That the Secretary of the Senate be and he is hereby instructed to place in the office of the Secretary of State the archives of the Senate of the late Republic of Texas now in the Senate Chamber; and that he shall procure a well bound book in which he shall record the journals of the last regular session and of this extra session of the Senate for which he shall receive compensation at the rate of twenty cents for every hundred words, provided the whole amount shall not exceed five hundred dollars, to be paid out of the contingent fund of this extra session of the legislature in addition to which duty he shall have a general

supervision of the Senate Chamber during the recess of the Senate for which no further compensation shall be made." Adopted.

A message was received from the House informing the Senate that the House had passed the following bills:

A Bill to provide necessary assistance for families and other dependents of officers and soldiers with amendments.

A Bill to incorporate the Columbus Mutual Aid Association.

A Bill to incorporate the Washington County Mutual Aid Association.

A Bill to incorporate the Goliad County Mutual Aid Association.

A Bill to supply a deficiency in a certain appropriation for paying officers and soldiers of State Troops.

Substitute for Senate's bill to punish certain persons for unlawful seizures of wagons and teams.

A Bill to provide for electing Senators and Representatives for 10th Legislature for 1863 in Counties occupied by the public enemy.

A Bill making further appropriations for the support of the State government which was taken up. Read 1st time. Rule suspended. Read 2nd time. Mr. Lea offered the following amendments: "For purchase of fire wood, stationery, and for fitting up the Capitol, repairing and taking care of furniture of same for the next legislature, "\$3000." Adopted.

For yearly salary of assistant Clerk to the Secretary of State in lieu of extra clerk hire, \$900. Mr. Hartley moved to lay this appropriation on the table. Lost. Mr. Hartley then moved to strike out "yearly salary" and insert "for extra clerk hire." Carried, and to strike out "in lieu of extra clerk hire." Carried. Mr. Lea moved to strike out "\$900" and insert "\$500" and to insert the word "additional" before "extra." Carried, and amendment adopted. For additional appropriation to Secretary of State for wood and porter hire, \$200." Adopted. For additional appropriation to same for postage, \$100. Adopted. For additional appropriation to same for stationery, \$3000. Adopted.

Adjutant and Inspector General Office

For wood and porter hire, \$100. Adopted. For postage, \$150. Adopted. For Stationery, \$300. Adopted.

Mr. Parsons moved to amend by appropriating \$900 for pay of Supreme Court librarians. Carried, and bill ordered to a 3rd reading. Rule suspended. Read 3rd time and passed.

Mr. White introduced a Joint Resolution in relation to General H. H. Sibley. Read 1st time. Rule suspended. Read 2nd time and referred to Committee on Military Affairs.

Mr. Guinn offered the following resolution: "**Resolved**, by the Senate, That the Secretary of the Senate be and he is hereby directed to issue certificates for the full *per diem* pay to such Senators as were not present at the commencement of the present session but who have since arrived and attended the Senate and were detained by sickness or high water where they started in time to reach the Capitol if they had not been detained by sickness or high water." Adopted.

Mr. Reed moved to reconsider the vote adopting the report of Committee of Conference on the Frontier bill. Carried and the bill recommitted.

Mr. Lea, Chairman of Committee on Finance made the following report:

"The Committee on Finance, to which was referred a House bill which may be briefly called The Revenue Bill, reports it back to the Senate for its action without making any suggestion as to its merits except the necessity for having an increase of revenue, and hence the necessity for promptly passing this bill without any amendment.

Yesterday about noon this bill was received in the Senate. During the afternoon session it was referred to this Committee. There was also a night session. The members of the Committee could not give attention to this subject during the Senate session other current business of importance commanding their attention, nor could they leave the Senate Chamber without breaking a quorum. And now it is certain that any delay to propose and consider an amendment would defeat this and other important bills inasmuch as the session must close two days hence and quorums may not be had most of the intermediate time. The Committee presents these facts in vindication of itself and the Senate.

Pryor Lea
Chairman

On motion the bill referred to was taken up. Read 2nd time. Mr. Shepard moved to strike out all in relation to taxing cotton in hands of their parties. Mr. Hord offered the following as a substitute: Strike out "all cotton not in the hands of the producer" and insert "all cotton or other produce of the soil of the growth of years previous to the year 1863." On motion of Mr. Burney, laid on the table. The question then recurred on Mr. Shepard's amendment and the Yeas and Nays stood thus:

Yeas: Messrs. Andres, Beasley, Dickson, Durant, Guinn, Harcourt, Hartley, Hord, Jordan, Reed, Selman, and Shepard—12.

Nays: Messrs. Burney, Casey, Cook, Graham, Lea, Lair, Maxey, Moore of Bastrop, Parsons, Quayle, Wheeler, and White—12. The president *pro tem* being in the Chair, the amendment was lost.

Mr. Shepard offered the following amendment: After "cotton" add "wheat, flour, corn, and all other products of the soil." Mr. Burney moved to lay the amendment on the table and the Yeas and Nays answered thus:

Yeas: Messrs. Burney, Graham, Guinn, Jordan, Maxey, Parsons, Quayle, and Wheeler—9.

Nays: Messrs. Andres, Beasley, Casey, Cook, Dickson, Durant, Harcourt, Hartley, Hord, Lea, Lair, Moore of Bastrop, Reed, Selman, Shepard, and White—16.

The question on the adoption of the amendment being taken was carried and the bill passed to a 3rd reading. Rule suspended. Read 3rd time and passed.

Mr. Reed made the following report: "The Committee of free conference to whom was referred a bill to provide for the defense of the frontier approved and repealing certain sections of an act to provide for the protection of the frontier approved December 21, 1861, having had the same under consideration, report the House Bill as originally passed for adoption rejecting all amendments made by the Senate." Adopted.

A Bill to provide necessary assistance for families and other dependents of soldiers on amendments of the House in which the Senate refused to concur.

The Committee on Enrolled Bills reported the following correctly enrolled, properly signed, and presented to the Governor:

A Bill appropriating \$200,000 to be expended for the relief of the sick and wounded soldiers of the State of Texas in the army of the Confederate States.

Joint Resolution in regard to trade.

A Bill authorizing the purchase of machinery for the Penitentiary. Read 1st time. Rule suspended. Read 2nd time and passed to 3rd reading. Rule further suspended. Read 3rd time and passed.

A Bill to amend the Code of Criminal Procedure. Read 2nd time. Rule suspended. Read 3rd time and passed.

Mr. Shepard offered the following: "**Resolved**, That the Senate present their *per diem* for one day to the hospital fund for the benefit of the Texan soldiers in Arkansas in exchange for tickets to the tableaux tonight." Mr. Beasley offered to amend by inserting "those who choose to do so." Lost.

A Bill to amend the laws relative to the assessment collection of taxes. Read 1st and 2nd times and referred to Committee on Finance.

A Bill authorizing the Treasurer to pay out Confederate notes for civil and military purposes. Read 1st time. Rule suspended. Read 2nd time and passed to 3rd reading. Rule further suspended. Read 3rd time and passed.

A Bill amendatory of and supplemental to the several acts regulating elections. Read 1st time. Rule suspended. Read 2nd time. Rule further suspended. Read 3rd time and passed.

A Bill to punish persons obtaining goods from the Penitentiary under false pretences. Read 2nd time and passed to a 3rd reading. Rule suspended. Read 3rd time and passed.

A Joint Resolution concerning certain salines near Double Mountain. Read 2nd time. Rule suspended. Read 3rd time and passed.

A Bill to provide for public printing. Read 2nd time. Rule suspended. Read 3rd time and passed.

On motion the Senate adjourned until 3 o'clock P. M.

3 o'clock P. M.

Senate met, roll called, quorum present.

Mr. Hartley moved to reconsider the vote passing a bill to make further appropriations for the support of the Government. Carried. Mr. Hartley then moved to amend

by inserting "For Postage Comptroller's office, \$800.00 eight hundred dollars. For Stationery \$1,000. Adopted. For Stationery, Executive office, \$300. For postage, \$300. Adopted. Mr. Lea moved to amend so as to appropriate \$800 for deficiency for taking scholastic population for 1862 and 1863. Carried. The bill was then passed.

Mr. Lea made the following report: "The Committee on Finance, to which was referred a House bill regulating the manner of collecting taxes and repealing certain laws, has considered the same as well as practicable at this stage of the session and reports the bill back to the Senate for its action recommending its prompt passage without any amendment."

A message was received from the House announcing that the House refuse to recede from their amendments to a bill to provide necessary assistance for the families and other dependents of soldiers and had appointed Messrs. Townes, Potter, and Parker a Committee of free Conference thereon and request the appointment of a like Committee on the part of the Senate, whereupon Mr. Lea and Mr. Moore of Davis were appointed a committee on the part of the Senate.

Mr. Hord made the following report: "The Committee on Military Affairs, to whom was referred a Joint Resolution in regard to General H. H. Sibley, have adopted a substitute for the same and have instructed to report to original resolution and the substitute back to the Senate and recommend the passage of the substitute."

A Bill to repeal an act concerning the Alamo Ditch in San Antonio. Read 2nd time. Rule suspended. Read 3rd time and passed.

A Bill to authorize the Governor to regulate the manufacture of salt. Read 2nd time. Mr. Hartley offered the following amendments: Insert at end of 2nd Section "At any salt springs the title to which have not passed out of the State." Adopted and bill ordered to be engrossed. Rule suspended. Read 3rd time and passed.

The Committee on Enrolled Bills reported the following correctly enrolled, properly signed, and presented to the Governor:

A Bill to incorporate the Texas Land and Copper Mine Company.

Joint Resolutions in relation to the contract of the Military Board with Sherrod, Taylor and Company.

A Message from the House announced the adoption of a substitute for Senate's bill relative to militia etc., which on motion was taken up. Read 2nd time. Mr. Harcourt moved to refer to Committee on Military Affairs. Lost. Mr. Ford moved to strike out "professors and teachers in schools and academies having twenty or more scholars" in second section. Lost. Mr. Ford moved to strike out 4th Section. Lost. Mr. Harcourt offered the following amendment: "Provided this act shall not be so constructed as fixing the salaries of enrolling officers for making the enrollment under the conscript laws." Mr. Casey moved to lay the amendment on the table. Carried. Mr. Ford moved to amend by inserting after "academies" "who have been engaged as such for three years last past." On motion of Mr. Hartley laid on the table. Mr. Ford then offered an amendment by way of substitute for bill as follows: "Be it enacted by the Legislature of the State of Texas. Section 1, That Company, Battalion and Regimental drill is suspended during the continuance of the present war. Section 2. That all militia officers shall hereafter be liable to be drafted into the military service as other militia."

On motion of Mr. Beasley laid on the table. Mr. Harcourt offered the following amendment. Strike out all that portion of the bill which authorizes or recognizes the creation or continuance of the Brigadier Generals and field and Company officers." Mr. Dickson moved the previous question which was ordered. Mr. Harcourt moved a call of the Senate which was not sustained. The main question, shall the bill pass to a 3rd reading, was then put and carried. Rule suspended, bill read 3rd time and passed.

A message from the House announced the passage of a Joint Resolution in relation to disbanding the military organization known as the Coast Guards.

A Bill to amend an act to punish speculators in certain cases with amendments which on motion were concurred in by the Senate.

Senate's bill to incorporate the Caldwell County Mutual Aid Association.

Mr. Quayle made the following report: "The Joint Committee of free Conference on the House bill to [prevent] distillation of corn or other grain into alcoholic or spiritous

liquors in the State of Texas during the present war with the Senate's amendment have met and the majority of the Committee recommend that the Senate recede from its amendment."

On motion the report was taken up and the Yeas and Nays on its adoption stood thus:

Yeas: Messrs. Beasley, Burney, Graham, Guinn, Lea, Lair, Maxey, Moore of Davis, Moore of Bastrop, and Quayle—10.

Nays: Messrs. Andres, Batte, Casey, Dickson, Ford, Harcourt, Hartley, Hord, Parsons, Reed, Selman, and Shepard—12.

Mr. Lea made the following report on a bill to provide necessary assistance for families and other dependents of soldiers, which on motion was taken up and adopted.

On motion the Senate adjourned until 9 o'clock A. M. tomorrow.

Friday, March 6, 1863, 9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Burney, Chairman of Committee on Land Office, reported a Bill to reduce the number of clerks etc. and recommended that it do not pass. Rule suspended. Report taken up and adopted.

A Bill to repeal Article 123 of Chapter 6 and Article 175 and 176, Chapter 12 of the Penal Code, was read 2nd time and laid on the table.

A Joint Resolution to make Confederate money a legal tender. Read 2nd time and laid on the table.

A Bill appropriating \$1,000 to pay the expenses of taking up, etc. runaway slaves. Read 2nd time and laid on the table.

A Joint Resolution in relation to disbanding the military organization known as Coast Guards. Read 1st time. Rule suspended. Read 2nd time and passed to 3rd reading. Rule suspended. Read 3rd time and passed.

A Bill providing for the election of Senators and Representatives to the 10th Legislature in counties occupied by the public enemy. Read 1st time. Rule suspended. Read 2nd time and passed to 3rd reading. Rule further suspended. Read 3rd time and passed.